



FITCHBURG CITY CLERK

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**CITY OF FITCHBURG MASSACHUSETTS  
CITY COUNCIL CALENDAR**

**March 3, 2016 7:00PM**

**Memorial Middle School Library  
615 Rollstone Street  
Fitchburg MA 01420**

**WELCOME TO THE FITCHBURG CITY COUNCIL!**

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

**Executive Session**

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

**OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:**

**Public Forum**

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

**Public Hearings**

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

## I. PUBLIC FORUM

### II. COMMUNICATIONS FROM HIS HONOR THE MAYOR

1. Letter of promotion of Mr. Scott S. Gabriel to the rank of Permanent Police Lieutenant effective February 29, 2016.
2. Letter of promotion of Mr. Derek Sullivan to the rank of Permanent Police Sergeant effective February 29, 2016.
3. Recommendations for the Year 42 Community Development Block Grant Program (CDBG).
4. Six letters of Appointment as follows:
  - A. Mr. Anthony Zarrella to the Zoning Board of Appeals for a temporary appointment for a term of 6 months effective immediately to expire on August 24, 2016.
  - B. Mr. Rick Boscardin to the Zoning Board of Appeals to fill the balance of the term of Mr. James Concannon for a term to expire on January 1, 2020.
  - C. Ms. Santa Helena Amico to the Human Rights Commission for a term to expire on May 1, 2019.
  - D. Ms. Claudia Stephens to the Fitchburg Cultural Council for a term to expire on September 1, 2019.
  - E. Mr. Adrian Ford re-appointment to the Human Rights Commission for a term to expire on May 1, 2019.
  - F. Mr. Charles Caron re-appointment to the Fitchburg Redevelopment Authority for a term to expire on July 1, 2019.

### III. OTHER COMMUNICATIONS

1. Letter from Planning Board to the Mayor regarding Planning Board recommendations for Year 42 Community Development Block Grant Program (CDBG).

### IV. ANNUAL REPORT

- 32-2016. Fitchburg Redevelopment Authority for Fiscal Year 2015 and the Audited Financials for Fiscal Year 2014.

## V. REPORTS OF COMMITTEES

### APPOINTMENTS COMMITTEE

Oral Report of meeting to be held on March 3, 2016 at 6:45PM

### Re-Appointments:

#### Human Rights Commission

Ms. Cheryl Maguy-Stewart, 81 Legros Street, Fitchburg  
(For a term to expire on February 1, 2019)

#### Disability Commission

Ms. Marshal D. Haneisen, 460 High Rock Road, Fitchburg  
(For a term to expire on February 1, 2019)

#### Council on Aging

Ms. Maureen McSheehy, 250 Mt. Vernon Street, Fitchburg  
(For a term to expire on January 1, 2019)

## LEGISLATIVE AFFAIRS

Oral Report of meeting to be held on March 3, 2016 at 6:00PM

- 241-2015. Councillor Angelo Bisol to change the current Ordinance to reflect MGL Ch. 90 s. 51E: Create and establish an Airport Commission for the City consisting of five members plus the Mayor, the President of the Council and the Commissioner of Public Works, who shall be ex-officio members.

### **VI. SPECIAL PERMIT HEARING**

- 26-2016. Zachary Fleckner, to renovate existing, non-conforming two family home located at 12 Park Street that has been abandoned or not used for a period of more than two years.

### **VII. ORDERS - FINANCE**

- 33-2016. ORDERED: That the City of Fitchburg approves the expenditure of funds from the MA Executive Office of Public Safety for the FY16 Fire SAFE Trailer Grant in the approximate amount of \$1,800.
- 34-2016. ORDERED: That there be and hereby is appropriated the sum of \$65,000 to Fire Capital-Departmental Equipment and charged against Available Funds.
- 35-2016. ORDERED: That the City of Fitchburg approves the expenditure of funds from the MA Executive Office of Public Safety and Security, for the FY16 Shannon Community Safety Initiative Grant in the approximate amount of \$169,274.72.
- 36-2016. ORDERED: That there be and hereby is transferred the sum of \$6,000 to Health Expenses from Health Personal Services.
- 37-2016. ORDERED: That the City of Fitchburg amends Council Order #157-13 to approve the expenditure of funds from the MA Dept of Public Health for the Health-Opioid Abuse Prevention Collaboration Grant in the approximate total revised amount from \$700,000 to \$770,000.

### **VIII. ORDERS - OTHER**

- 38-2016. ORDER: To accept as gift, purchase or take by eminent domain
1. Permanent avigation easements over certain parcels of land required for the purpose of removing vegetative obstructions from the airport approach service, which currently poses a safety hazard. Said parcels are

located in the area of Battles Avenue and are designated as Easement numbers 3, 4 and 5 (details enclosed).

2. Temporary easements to enter upon said land for the removal of said vegetative obstructions.

(Reference petition 250-2015 granted on February 4, 2015)

#### VIII. ORDINANCES

- 20-16. ORDINANCE: That Chapter 181, section 3561 of the Code of the City of Fitchburg (Zoning - Special Permit for Nonconforming Structures Abandoned or Not Used for More Than Two Years) as most recently amended, be further amended by striking the words: "City Council" and by inserting the words "Board of Appeals".  
(FINAL READING)

- 21-16. ORDINANCE: That Chapter 181, section 356 of the Code of the City of Fitchburg (Zoning - Abandonment or Non-use" as most recently amended, be further amended by adding:  
"This section shall not apply to the re-use of a lawfully existing nonconforming single or two family structure where the principle use is permitted by right in the specified district under 181.313, and provided that no modification of the use or structure is accomplished unless authorized under the provisions of 181.35  
(FINAL READING)

- 27-2016. ORDINANCE: Amending Chapter 3, Section 68 of the City of Fitchburg Code as follows:  
Delete therefrom: "a majority of the members of the Finance Committee,"  
Add in place as follows:  
"the signature of the Finance Committee Chair and in his/her absence the City Council President has signing authority, and in his/her absence a member of the Finance Committee has signing authority".  
(FINAL READING)

#### IX. PETITIONS

- 39-2016. Class II Car Dealer petition of Carlos Bismark Terrero dba Millennium Motors, 34 Bemis Road.  
(Public Safety Committee)
- 40-2016. Scott Ellis, Airport Manager to clarify and amend petition 250-2015 by striking the word temporary and inserting in its place permanent.  
For reason says, the petition was approved unanimously by council however the word temporary is in the petition when the need to make entry from time to time

on the subject property to remove vegetative growth is  
a permanent right needed by the Airport.  
(City Property)

X. TABLED MATTERS

- 13-2016. SPECIAL PERMIT PETITION: Mr. Robert Lemay to renovate non-conforming building that has been abandoned or not used for a period of more than two years at 148 Myrtle Ave. Map 33, Block 124 Lot 0.